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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO VISION**

RICHARD KADREY, et al.,

*Individual and Representative Plaintiffs,*

v.

META PLATFORMS, INC.,

*Defendant.*

Case No. 3:23-cv-03417-VC

**PLAINTIFFS' ADMINISTRATIVE  
MOTION TO CONSIDER WHETHER  
ANOTHER PARTY'S MATERIAL  
SHOULD BE SEALED RE: MOTION FOR  
RELIEF FROM NON-DISPOSITIVE  
PRETRIAL ORDER OF MAGISTRATE  
JUDGE**

Pursuant to Civil Local Rules 7-11, 79-5(f), and this Court’s Standing Order on Motions to Seal, Plaintiffs respectfully submit this Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed, filed in connection with Plaintiffs’ Motion for Relief From Non-Dispositive Pretrial Order. The Motion for Relief contains, in various places, summaries or descriptions of material that Defendant Meta Platforms, Inc. (“Meta”), has designated as “Highly Confidential - Attorneys Eyes Only” as defined in the in the parties’ Stipulated Protective Order for Litigation Involving Patents, Highly Sensitive Confidential Information and/or Trade Secrets (ECF No. 90, the “Protective Order”). Plaintiffs are also filing numerous exhibits in support of the Motion for Relief under seal because they are either designated, or refer to material that is designated, as “Highly Confidential – Attorneys’ Eyes Only.”

Plaintiffs assert no confidentiality of their own over any of these documents and would prefer to file them publicly, particularly in light of the Court’s repeated admonishments about sealing and recent order on Meta’s excessive sealing. Dkt. 373. Certain exhibits accompanying Plaintiffs’ Motion were recently filed on the public docket in redacted form by Meta. *See* Dkt. 391. For those exhibits, Plaintiffs have used Meta’s redacted versions. For all other exhibits that have not been filed previously, Plaintiffs are filing them fully under seal—consistent with Meta’s designations. To avoid unnecessary sealing and the burden it places on the Court, Plaintiffs sent Meta all filing materials at 12:08 PM PT today and offered Meta four hours to identify any truly necessary sealing. Meta did not respond until 4:03 PM PT, stating “it was not possible for [Meta] to review and propose redactions” in those four hours, and requested that Plaintiffs file all new material under seal, with Meta’s proposed redactions, if any, to follow in seven days per L.R. 79-5(f).

By Plaintiffs’ count, Meta designated approximately 97% of the documents it produced in discovery as “Confidential,” “Highly Confidential – Attorneys’ Eyes Only,” or “Highly

Confidential – Source Code,” and Meta designated every deposition transcript in full as “Highly Confidential – Attorneys’ Eyes Only.” Plaintiffs thus must continue to incur fees and burden the Court by filing grossly overbroad sealing motions virtually any time they seek to present evidence in a court filing. Plaintiffs respectfully note that many attorney and staff hours have been spent accommodating Meta’s blanket confidentiality designations in this case, and that these sealing issues will likely be exacerbated further in the coming months with summary judgment and *Daubert* briefing.

Dated: January 15, 2025

By: /s/ Maxwell V. Pritt  
Maxwell V. Pritt

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